

ENTERED

March 12, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

JOHN RYAN CHAMBLEE, §
§
Plaintiff, §
VS. § CIVIL NO. 2:18-CV-159
§
SAN PATRICIO COUNTY TEXAS, *et al.*, §
§
Defendants. §

ORDER

The Court is in receipt of the Magistrate Judge's Memorandum and Recommendation ("M&R") to Dismiss Certain Claims and to Retain Case,¹ Dkt. No. 10; County's Motion to Dismiss for Failure to State a Claim, Dkt. No. 15; Plaintiff's Amended Complaint,² Dkt. No. 20; Defendants County, Moody, and Balderas' (collectively "County Defendants") Motion to Dismiss, Dkt. No. 31; the Magistrate Judge's M&R to Deny as Moot County's Motion to Dismiss,³ Dkt. No. 41; and the Magistrate Judge's M&R to Grant County Defendants' Motion to Dismiss, Dkt. No. 44.

After independently reviewing the filings, the record, and applicable law, the Court **ADOPTS** the M&Rs, Dkt. Nos. 10, 41, and 44. Accordingly, the Court **DENIES AS MOOT** County's Motion to Dismiss, Dkt. No. 15, and **GRANTS** County Defendants' Motion to Dismiss, Dkt. No. 31.

¹ The Magistrate Judge recommends that the Court: (1) retain Plaintiff's due process claim against San Patricio County ("County"), and (2) dismiss any remaining claims against County and all claims against the City of Aransas Pass ("City") for failure to state a claim for relief and/or as frivolous.

² Plaintiff added the following individual defendants in his amended complaint: (1) Sheriff Leroy Moody ("Moody"), and (2) Major E. Balderas ("Balderas").

³ The Magistrate Judge recommends that the Court deny County's motion to dismiss, Dkt. No. 15, as moot and superseded by County Defendants' motion to dismiss, Dkt. No. 31.

All claims against all defendants—County, Moody, Balderas, and City—are therefore **DISMISSED WITH PREJUDICE**.

Final judgment will be entered separately.

SIGNED this 12th day of March, 2019.



Hilda Tagle
Senior United States District Judge